GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the management of M.S.R.T.C., Bangalore.

Award of the Labour Court, Bangalore—Published.

Read the following Papers:—

(1) Letter No.IT. 967/72-73, dated 2nd November 1972 from Sri Narayan Rai Kudoor, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 31st October 1972

Present

Sri Narayan Rai Kudoor, B.A., B.L., Presiding Officer

I. D. No. 31 of 1972

I Party

Workmen represented by The President, Mysore State Road Transport Corporation Printing Press Karmika Sangha, No. 1A, Krishna Reddy Buildings, H Siddaiah Road, Bangalore-27.

Vs

II Party

The Management of Mysore State Road Transport Corporation, Bangalore-27.

Appearances

For the I Party :— None present

For the II Party :— None present

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the Workmen and the Management of Mysore State Road Transport Corporation, Bangalore-27, referred the said dispute to this Tribunal for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIX of 1947) as per the Order No. FCL 122 LLD 72 dated 16th August 1972 on the following points of dispute:—

"(1) Are the management of M.S.R.T.C. Bangalore-27, justified in keeping Sri T.S. Seetharam, Helper 'B', employee of M.S.R.T.C. Printing Press under suspension for a period of one month without pay and allowances *vide* Order No. MST/CO/EST/DFL/22-68/4848 dated 25th June 1969?

If not to what reliefs workman is entitled?

(2) Are the management of M.S.R.T.C. Bangalore-27, justified in reducing the pay of Sri B.L. Basavaraj, Binder, M.S.T Press, by one stage *vide* order No. MST (1) EST/DFL/.9-67 4427 dated 4th June 1969?

If not, to what reliefs the workman is entitled?

(3) Are the management of MSRTC Bangalore-27 justified in imposing a fine of Rs. 3 on Sri Siddimaobineman, MST Press *vide* Order No. MST (1) EST 8-68/5261 dated 16th July 1969?

If not, to what reliefs the workman is entitled?"

2. On receipt of the above reference, it was registered as ID No 31 of 1972 on the file of this Tribunal. Workmen represented by the President, Mysore State Road Trans-

port Corporation Printing Press Karmika Sangha, Bangalore, is the I Party and the Management of Mysore State Road Transport Corporation, Bangalore-27, is the II Party in this dispute. Notice of the dispute was issued to both the parties and they were duly served. In spite of the service of the notice, none of the parties appeared. Enough and more opportunities are given to them by extending time *suo moto* so as to facilitate them to file their statement of demands and to take part in the proceedings, but of no avail. From the conduct of the parties in their continued absence throughout the proceedings. I feel legitimate to draw an inference that they are no more interested in the dispute scheduled in the order of reference referred to this Tribunal for adjudication. I feel no useful purpose would be served by extending any more time. That being the position I see no other course open to me but to proceed to answer the reference in the absence of the parties.

3. It is seen from the order of reference that it is for the II Party-Management to justify the action taken by the against the employees that gave rise to the points of dispute scheduled in the order of reference which are three in number. The II Party have not even filed their statement in support of the action taken against the employees. They have not made any attempt to displace the burden cast on them under the order of reference. That being the position the reference has to be answered against them.

4. In the result I pass an award rejecting the reference.

5. There will be no order as to costs.

NARAYANA RAI KUDOOR,

Presiding Officer,
Industrial Tribunal,
Bangalore.

ORDER

Bangalore dated the 24th November 1972.

S. O. 795.—WHEREAS by State Government Order No. FCL 422 LLD 72, dated 16th August 1972, the Industrial Dispute between the Workmen and the Management of Mysore State Road Transport Corporation Bangalore was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. FCL 230 LLA 72.]

By Order and in the name of the Governor of Mysore,

ANIRUDHA DESAI,

1270 *Under Secretary to Government,*
Food, Civil Supplies & Labour Department.